

PROGRAMMATIC AGREEMENT COMPLIANCE REPORT

CITY OF RIVERSIDE

**Twelfth Reporting Period
January 1, 2008 – June 30, 2008**

Prepared for:

**State Historic Preservation Officer
and the
Advisory Council on Historic Preservation**

Submitted by:

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Appendix A: Project Tracking Table

I. Introduction

1.1 Overview

On June 12, 2002, The City of Riverside (City), the California State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (Advisory Council) entered into a Programmatic Agreement (PA) regarding historic properties affected by the funding and administration of projects and programs (Undertakings) with monies from the U.S. Department of Housing and Development (HUD) programs (Programs). The PA provides stipulations to satisfy the City's Section 106 responsibilities for all individual Undertakings of the Program as the City has determined that implementation of the Program may have an effect upon properties included in or determined eligible for inclusion in the National Register of Historic Places (National Register or NRHP).

In order to correspond with the reporting timeframe outlined in the PA, the City of Riverside considered the PA effective on July 1, 2002 and began taking action on all applicable projects under the PA from that date forward. Under the terms of the PA, the City is required to document in writing all actions pursuant to the PA and to report the activities to the SHPO and the Advisory Council in a Programmatic Agreement Compliance Report (PACR) every six months. This Twelfth Reporting Period PACR submitted July 31, 2008 reports the activities from January 1, 2008 through June 30, 2008.

1.2 Statement of Purpose

The purposes of this Twelfth Reporting Period PACR are to:

- Summarize for the SHPO and the Advisory Council the activities carried out under the PA from January 1, 2008 to June 30, 2008.
- List by property address all Undertakings that were reviewed pursuant to the PA.
- Document all decisions made with respect to Identification and Evaluation of Historic Properties, Treatment of Historic Properties, Resolutions of Adverse Effects, and Considerations and Treatment of Archaeological Resources.
- Provide copies of all Standard Mitigation Measures Agreements (SMMA), as applicable.
- Present the views of the City regarding the usefulness of this PA in promoting the efficiency and the effectiveness of both the Program and the consideration of historic properties.

II. Methodology

This section summarizes the methodology used by the City to carry out applicable Stipulations of the PA. Copies of the State Historic Resources Inventory Forms (DPR 523 forms) and other documentation prepared under the PA have not been included in this report, but are available upon request.

2.1 Methodology for Identification and Evaluation

2.1.1 Project Tracking Table

For the purposes of tracking Undertakings under the PA and facilitating the PA reporting process, a Project Tracking Table (Table) was created to organize project details and actions. The Table houses all pertinent information, including project address and description, in and out dates, CHR status codes, rehabilitation options and conditions, resolutions of adverse effects, and consideration and treatment of archaeological resources (see Appendix A).

2.1.2 Undertakings Not Requiring Review

Stipulation III of the PA lists specific types of Undertakings that do not require review or determinations of eligibility. They include projects that only affect properties which are less than 50 years old, Undertakings limited exclusively to the interior portions of single family residential properties where the proposed work will not be visible on the exterior, and Undertakings limited exclusively to activities named exempt and listed in Appendix A.

Under the terms of the PA, Undertakings exempt from review were not submitted to the SHPO or the Advisory Council. However, such properties were included in the Table and are documented in this Twelfth Reporting Period PACR. The City authorized exempt Undertakings to proceed without review in accordance with Stipulation III of the PA.

2.1.3 Undertakings Requiring Review

For each Undertaking requiring review, City staff proceeded with the identification and evaluation of Historic Properties as outlined under Stipulation IV of the PA. This included a site visit and a review of the current listing of the National Register, the State Historic Resources Inventory and the City's Historic Resources Inventory to determine whether a subject property had been previously surveyed and was listed in, or evaluated for eligibility for, the National Register. If the property was not exempt per Stipulation VI (B) and (C), it was evaluated using the National Register Criteria.

If a new survey was required, City staff completed an intensive-level field survey and documented the property with digital photographs. If a potential for inclusion in a historic district existed, staff documented and photographed the entire potential district area.

Site-specific research was then completed on the subject property. Research sources included (as applicable): building permits, Sanborn maps, parcel maps, tract maps, Assessor's map books, Planning Department historic property files, existing DPR forms and associated survey information, historic context statements, City directories, and multiple GIS overlay layers.

2.1.4 Evaluation and Preparation of Inventory Forms

If a property is listed in or officially determined eligible for listing in the National Register per Stipulation VI (B), no DPR 523 forms were prepared.

City staff prepared appropriate DPR 523 forms for properties which had not been previously documented or that had been determined ineligible for the National Register five (5) or more years ago. Properties were evaluated according to national, state, and local criteria and a CHR Status Code was assigned to each property.

During this reporting period no properties had been previously determined eligible or were identified as eligible for the National Register.

All properties determined ineligible for listing in the National Register, were assigned a status code of 6Y – “determined ineligible for listing by a consensus through Section 106 process.”

Properties determined ineligible for listing in the National Register, but eligible for the California Register or for local designation were also assigned the appropriate CHR Status Code for use in the local government review process.

Determinations of eligibility or ineligibility were documented in the Table and reported in this Eighth Reporting Period PACR (see Appendix A) in accordance with Stipulation VI (D) of the PA.

2.1.5 Request for SHPO Concurrence

No projects have been submitted for SHPO concurrence during the Twelfth reporting period.

2.2 Methodology for the Treatment of Historic Properties

This section summarizes the process used by the City in reviewing the effects of Undertakings that required review under the PA.

2.2.1 Rehabilitation – Option 1

In accordance with the PA, rehabilitation Undertakings that have the potential to affect properties listed in or determined eligible for listing in the National Register, and are not exempt from review, shall be evaluated for conformance with the *Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving*,

Rehabilitating, Restoring, and Reconstructing Historic Buildings, 1995 (Standards) and to the greatest extent feasible, the State Historical Building Code (SHBC). Although not required by the PA, in accordance with Section 20.30 of the City's Cultural Resources Ordinance (Title 20), designated properties, or properties considered eligible for the California Register or local designation are also evaluated according to the Standards and SHBC. As stated above under Section 2.1.4 no properties during this reporting period were designated or determined eligible for listing in the National Register.

Under Stipulation VIII of the PA, when the City determines that an Undertaking does not conform to the Standards and when recommended changes that would bring the project into conformance are not adopted, the City is required to enter into consultation with the SHPO to determine if the effects of the Undertaking can be resolved by executing a Standard Mitigation Measures Agreement (SMMA). If an SMMA is determined appropriate by the SHPO, the City and the SHPO would consult to develop an SMMA in compliance with Appendix B of the PA and the SMMA would be implemented by the City and reported in the PACR. During this Eleventh Reporting Period, no SMMA was needed or developed.

2.2.2 Rehabilitation – Option 2 (Internal Revenue Code (IRC))

No Undertakings during this Twelfth Reporting Period involved the use of investment tax credits pursuant to the IRC. Therefore, no projects required evaluation under Stipulation VII(C) of the PA.

2.2.3 Rehabilitation – Relocation, Demolition, and New Construction

No Undertakings during this Twelfth Reporting Period involved the relocation of Historic Properties. Therefore, no Relocation projects required evaluation under Stipulation VII (D) of the PA.

No Undertakings during this Twelfth Reporting Period involved the demolition of a Historic Property. Therefore, no Demolition projects required evaluation under Stipulation VII(E) of the PA.

No Undertakings during this Twelfth Reporting Period involved new construction. Therefore, no New Construction projects required evaluation under Stipulation VII (F) of the PA.

2.2.4 Emergency Undertakings

No Undertakings during this Twelfth Reporting Period involved a threat to a Historic Property due to the imminent threat to the public health and safety. Therefore, no projects required evaluation under Stipulation IX of the PA.

2.2.5 Archaeological Resources

No Undertakings during this Twelfth Reporting Period involved an affect to archaeological resources. Projects that underwent related ground-disturbance activities, as listed in Stipulation X, were considered exempt from review due to the activities occurring wholly within the legal lot lines of a single-family residence parcel or outside the legal lot lines of such a parcel and confined to areas that have been previously disturbed by such activities. Therefore, no projects required evaluation under Stipulation X of the PA.

III. Results of Activities

3.1 Summary of Activities

Activities carried out under the PA between January 1, 2008 and June 30, 2008 are listed by address in the Table along with all the components required by the PA for the PACR as set forth in Stipulation XVIII (B). See Appendix A for a complete listing of all projects by property address and for information regarding project scope.

IV. Programmatic Agreement Compliance

4.1 Effectiveness of Programmatic Agreement

In this Twelfth Reporting Period, the City has found the PA very effective. The PA has enabled the City to efficiently carry out its Section 106 review responsibility while fully considering historic properties. There are several ways in which the PA has worked to empower the City to facilitate the review process of HUD-funded and administered Undertakings. In addition, the project review process has necessitated the use of the Standards and the SHBC, thus enabling a broader understanding of these guidelines by City staff and project applicants.

The PA has been particularly useful in expediting project review. The PA clearly lists properties that do not require review or are exempt from review, facilitating the quick identification of such properties. Under the PA, the City is able to recognize previous determinations of eligibility or ineligibility, thus greatly shortening the identification and evaluation time for subject properties. Because the City is not required to submit determinations of ineligibility or project reviews of eligible properties to the SHPO for concurrence, and because the SHPO has a 15-day response time to concur with a determination of eligibility, project review times are greatly reduced.

Furthermore, the PA has provided an educational opportunity. The review process under the PA introduces a project applicant to the Standards and SHBC and encourages a greater knowledge of historic preservation and the consideration of historic properties.

V. Conclusion

This Twelfth Reporting Period PACR summarizes the activities carried out under the PA from January 1, 2008 through June 30, 2008. In compliance with Stipulation XVIII of the PA, this report will be forwarded to all signatories of the PA as well as the Los Angeles office of the U.S. Department of Housing and Urban Development. This PACR will also be made available to the public, and notification of its availability and the opportunity to comment on the PACR will be posted on the City's website and in Riverside's *The Press-Enterprise* newspaper. Furthermore, the signatories to the PA will review the PA and any comments received from the public and determine if an amendment to the PA is necessary.

This Twelfth Reporting Period PACR documents all decisions and activities regarding the Identification and Evaluation of Historic Properties, Treatment of Historic Properties, Resolution of Adverse Effects, Consideration and Treatment of Archaeological Resources, and Undertakings Not Requiring Review between January 1, 2008 and June 30, 2008. The PACR also documents the City's views regarding the efficiency and effectiveness of the PA in reviewing Undertakings of the Program and the consideration of Historic Properties. The Thirteenth Reporting Period PACR, which will document the activities carried out under the PA from July 1, 2008 to December 31, 2008, will be submitted to the SHPO and Advisory Council by January 31, 2009.

Appendix A

PROJECT TRACKING TABLE

**Twelfth Reporting Period
January 1, 2008 and June 30, 2008**